### **MONDAY, JANUARY 22, 2018**

#### FORTY-FOURTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Pastor Jason Lewis, Grundy Cross Baptist Church, Sparta, TN.

Representative Sherrell led the House in the Pledge of Allegiance to the Flag.

#### **ROLL CALL**

The roll call was taken with the following results:	
Present	98

Representatives present were Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 98

### CLERK'S NOTE TO JOURNAL January 22, 2018

Pursuant to **Rule No. 47**, the following bill has been reassigned:

\*House Bill No. 1463 -- Education -- House Education Instruction and Programs Committee

#### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 182 Rep. Gilmore as prime sponsor.

**House Resolution No. 184** Reps. Powell, Gilmore, Camper, Williams, Stewart and Love as prime sponsors.

House Resolution No. 185 Reps. Clemmons and Hardaway as prime sponsors.

House Joint Resolution No. 605 Reps. Holt as prime sponsors.

2736

### MESSAGE FROM THE SENATE January 19, 2018

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 465, 467, 468, 469, 470, 471, 473, 474, 475 and 476; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

### SIGNED January 19, 2018

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 465, 467, 468, 469, 470, 471, 473, 474, 475 and 476.

TAMMY LETZLER, Chief Clerk

#### INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolution listed was introduced and referred to the appropriate Committee:

**House Joint Resolution No. 612** -- Naming and Designating - "Don't Text and Drive Day," April 27, 2018. by \*Tillis.

House Transportation Committee

**House Joint Resolution No. 635** -- Naming and Designating - Designates January 22, 2018, as "Day of Hope and Healing" in Tennessee. by \*Moody.

House Health Committee

### **RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for January 24, 2018:

House Joint Resolution No. 636 -- Memorials, Death - Jesse Wilburn. by \*Hardaway.

**House Joint Resolution No. 637** -- Memorials, Death - Bernal E. Smith II. by \*Hardaway.

**House Joint Resolution No. 638** -- Memorials, Recognition - W.C. Handy Heritage Awards. by \*Hardaway.

**House Joint Resolution No. 639** -- Memorials, Death - Reverend Dwight Montgomery. by \*Hardaway.

#### 2737

**House Joint Resolution No. 640** -- Memorials, Personal Occasion - John A. Hobbs, 90th birthday. by \*Jernigan.

House Joint Resolution No. 641 -- Memorials, Congratulations - Taiwan. by \*Goins.

**House Joint Resolution No. 642** -- Memorials, Professional Achievement - Robin Copp, 2017-2018 Tennessee Department of Education Principal of the Year. by \*Carter.

**House Joint Resolution No. 643** -- Memorials, Personal Achievement - Justin Lane Campbell, Eagle Scout. by \*Matlock.

**House Joint Resolution No. 644** -- Memorials, Recognition - First Baptist Church of Tellico Village, 20th anniversary. by \*Matlock.

**House Joint Resolution No. 645** -- Memorials, Recognition - Monterey Mushrooms, 40th anniversary. by \*Matlock.

**House Joint Resolution No. 646** -- Memorials, Death - Dr. Jimmy Lynn Verner. by \*Matlock, \*Calfee.

**House Joint Resolution No. 647** -- Memorials, Heroism - Melinda Moroz. by \*Matlock, \*Calfee.

**House Joint Resolution No. 648** -- General Assembly - Provides for affixing plaque at Representative Lois DeBerry's desk in House chambers to commemorate her legislative service. by \*Akbari, \*Harwell.

**House Joint Resolution No. 649** -- Memorials, Recognition - Self-Care Month, February 2018. by \*Brooks K.

#### **INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

\*House Bill No. 1604 -- Special License Plates - As introduced, reorganizes special license plates statutes; narrows definition of "urban county" for purposes of allocating special license plate revenues; makes technical correction regarding issuance of military license plates. - Amends TCA Section 4-20-301 and Title 55. by \*Sanderson.

**House Bill No. 1605** -- Local Government, General - As introduced, authorizes the City of Hornbeak to collect unpaid charges for municipal sewer services in the same manner as unpaid property taxes, including through the attachment of a lien against real property. - Amends TCA Title 7, Chapter 35. by \*Sanderson.

**House Bill No. 1606** -- Tennessee Higher Education Commission - As introduced, requires THEC to provide data on statutory tuition waivers and discounts in the higher education fact book. - Amends TCA Title 8, Chapter 50, Part 1; Title 49, Chapter 7; Title 49, Chapter 8; Title 49, Chapter 9 and Title 49, Chapter 4. by \*Kane.

- \*House Bill No. 1607 -- Local Education Agencies As introduced, requires LEAs to allocate funding to educational facilities providing educational instructional services to students who are admitted to such facilities under order of a juvenile court. Amends TCA Title 49, Chapter 3. by \*Pitts.
- \*House Bill No. 1608 -- Public Records As introduced, requires state governmental entities to promulgate rules, rather than adopt policies, to establish a process for making requests to inspect or receive copies of public records, for responding to requests for public records, and for the creation of a statement of any fees charged for copies of such records. Amends TCA Title 10, Chapter 7, Part 5. by \*Matlock.
- \*House Bill No. 1609 -- Education, Curriculum As introduced, beginning in the 2018-2019 school year and thereafter, prohibits the administration of end-of-course examinations to students in grades 9 through 12 and establishes the ACT as the only assessment that may be required for graduation. Amends TCA Title 49, Chapter 6, Part 60. by \*Hill M.
- \*House Bill No. 1610 -- Drugs, Prescription As introduced, directs the commissioner of health to study issues related to healthcare access and healthcare status of populations affected by the implementation of the Addiction Treatment Act of 2015, Chapter 396 of the Public Acts of 2015; the commissioner shall report the findings and any recommendations arising out of the study to the health committee of the house of representatives and the health and welfare committee of the senate on or before January 15, 2019. Amends TCA Title 33; Title 53; Title 63 and Title 68. by \*Hill M.
- **House Bill No. 1611** -- Sunset Laws As introduced, extends the board of funeral directors and embalmers for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 5, Part 2. by \*Faison, \*Ragan.
- **House Bill No. 1612** -- Sunset Laws As introduced, extends the board of nursing for three years to June 30, 2021. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 7, Part 2. by \*Faison, \*Ragan.
- **House Bill No. 1613** -- Sunset Laws As introduced, extends the board of parole for four years to June 30, 2022. Amends TCA Title 4, Chapter 29 and Title 40, Chapter 28, Part 1. by \*Faison, \*Ragan.
- **House Bill No. 1614** -- Sunset Laws As introduced, extends the board of pharmacy for five years to June 30, 2023. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 10, Part 3. by \*Faison, \*Ragan.
- **House Bill No. 1615** -- Sunset Laws As introduced, extends the bureau of workers' compensation for six years to June 30, 2024. Amends TCA Title 4, Chapter 29; Title 4, Chapter 3, Part 14 and Title 50, Chapter 6. by \*Faison, \*Ragan.
- **House Bill No. 1616** -- Sunset Laws As introduced, extends the collateral pool board for eight years to June 30, 2026. Amends TCA Title 4, Chapter 29 and Title 9, Chapter 4, Part 5. by \*Faison, \*Ragan.
- **House Bill No. 1617** -- Sunset Laws As introduced, extends the collection service board for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 20. by \*Faison, \*Ragan.

- **House Bill No. 1618** -- Sunset Laws As introduced, extends the commission for uniform legislation for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 9. by \*Faison, \*Ragan.
- **House Bill No. 1619** -- Sunset Laws As introduced, extends the Compact for Education for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 12, Part 2. by \*Faison, \*Ragan.
- **House Bill No. 1620** -- Sunset Laws As introduced, extends the controlled substance database advisory committee for five years to June 30, 2023. Amends TCA Title 4, Chapter 29 and Title 53, Chapter 10, Part 3. by \*Faison, \*Ragan.
- **House Bill No. 1621** -- Sunset Laws As introduced, extends the council on children's mental health care for four years to June 30, 2022. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 3, Part 1. by \*Faison, \*Ragan.
- **House Bill No. 1622** -- Sunset Laws As introduced, extends the department of agriculture for four years to June 30, 2022. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by \*Faison, \*Ragan.
- **House Bill No. 1623** -- Sunset Laws As introduced, extends the department of correction for one year to June 30, 2019. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by \*Faison, \*Ragan.
- **House Bill No. 1624** -- Sunset Laws As introduced, extends the department of human services for four years to June 30, 2022. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by \*Faison, \*Ragan.
- **House Bill No. 1625** -- Sunset Laws As introduced, extends the department of intellectual and developmental disabilities for four years to June 30, 2022; requires the department to report back to the committee concerning the findings in its 2017 performance audit report. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by \*Faison, \*Ragan.
- **House Bill No. 1626** -- Sunset Laws As introduced, extends the department of revenue for four years to June 30, 2022. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by \*Faison, \*Ragan.
- **House Bill No. 1627** -- Sunset Laws As introduced, extends the department of tourist development for four years to June 30, 2022. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by \*Faison, \*Ragan.
- **House Bill No. 1628** -- Sunset Laws As introduced, extends the department of veterans services for four years to June 30, 2022. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by \*Faison, \*Ragan.
- **House Bill No. 1629** -- Sunset Laws As introduced, extends the soil scientist advisory committee for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 18, Part 2. by \*Faison, \*Ragan.

- **House Bill No. 1630** -- Sunset Laws As introduced, extends the state board of cosmetology and barber examiners for four years to June 30, 2022. Amends TCA Title 4, Chapter 29; Title 62, Chapter 3 and Title 62, Chapter 4. by \*Faison, \*Ragan.
- **House Bill No. 1631** -- Sunset Laws As introduced, extends the state university and community college system, board of regents, for four years to June 30, 2022. Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 8, Part 2. by \*Faison, \*Ragan.
- **House Bill No. 1632** -- Sunset Laws As introduced, extends the statewide community services agency for three years to June 30, 2021. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5, Part 3. by \*Faison, \*Ragan.
- **House Bill No. 1633** -- Sunset Laws As introduced, extends the Tennessee auctioneer commission for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 19. by \*Faison, \*Ragan.
- **House Bill No. 1634** -- Sunset Laws As introduced, extends the Tennessee board of court reporting for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 20, Chapter 9, Part 6. by \*Faison, \*Ragan.
- **House Bill No. 1635** -- Sunset Laws As introduced, extends the Tennessee board of judicial conduct for two years to June 30, 2020. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 5. by \*Faison, \*Ragan.
- **House Bill No. 1636** -- Sunset Laws As introduced, extends the Tennessee board of water quality, oil, and gas for five years to June 30, 2023. Amends TCA Title 4, Chapter 29 and Title 69, Chapter 3, Part 1. by \*Faison, \*Ragan.
- **House Bill No. 1637** -- Sunset Laws As introduced, extends the Tennessee central economic authority for six years to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 5. by \*Faison, \*Ragan.
- **House Bill No. 1638** -- Sunset Laws As introduced, extends the Tennessee film, entertainment and music commission for four years to June 30, 2022. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3, Part 50. by \*Faison, \*Ragan.
- **House Bill No. 1639** -- Sunset Laws As introduced, extends the Tennessee heritage conservation trust fund board of trustees for five years to June 30, 2023. Amends TCA Title 4, Chapter 29 and Title 11, Chapter 7. by \*Faison, \*Ragan.
- **House Bill No. 1640** -- Sunset Laws As introduced, extends the Tennessee higher education commission for four years to June 30, 2022. Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 7, Part 2. by \*Faison, \*Ragan.
- **House Bill No. 1641** -- Sunset Laws As introduced, extends the Tennessee rehabilitative initiative in correction board for four years to June 30, 2022. Amends TCA Title 4, Chapter 29, Part 2 and Title 41, Chapter 22, Part 4. by \*Faison, \*Ragan.

- **House Bill No. 1642** -- Sunset Laws As introduced, extends the Tennessee student assistance corporation, board of directors for four years to June 30, 2022. Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 4, Part 2. by \*Faison, \*Ragan.
- **House Bill No. 1643** -- Sunset Laws As introduced, extends the underground storage tanks and solid waste disposal control board for five years to June 30, 2023. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 211, Part 1. by \*Faison, \*Ragan.
- **House Bill No. 1644** -- Sunset Laws As introduced, extends the domestic violence state coordinating council for four years to June 30, 2022. Amends TCA Title 4, Chapter 29, Part 2 and Title 38, Chapter 12. by \*Faison, \*Ragan.
- **House Bill No. 1645** -- Sunset Laws As introduced, extends the dyslexia advisory council for two years to June 30, 2020. Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 1, Part 2. by \*Faison, \*Ragan.
- **House Bill No. 1646** -- Sunset Laws As introduced, extends the health services and development agency for three years to June 30, 2021. Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 11, Part 16. by \*Faison, \*Ragan.
- **House Bill No. 1647** -- Sunset Laws As introduced, extends the housing development agency board of directors for four years to June 30, 2022. Amends TCA Title 4, Chapter 29, Part 2 and Title 13, Chapter 23, Part 1. by \*Faison, \*Ragan.
- **House Bill No. 1648** -- Sunset Laws As introduced, extends the Interstate Compact for Juveniles for eight years to June 30, 2026. Amends TCA Title 4, Chapter 29, Part 2 and Title 37, Chapter 4, Part 1. by \*Faison, \*Ragan.
- **House Bill No. 1649** -- Sunset Laws As introduced, extends the Interstate Compact for Supervision of Adult Offenders for eight years to June 30, 2026. Amends TCA Title 4, Chapter 29, Part 2 and Title 40, Chapter 28, Part 4. by \*Faison, \*Ragan.
- **House Bill No. 1650** -- Sunset Laws As introduced, extends the Interstate Mining Compact for six years to June 30, 2024. Amends TCA Title 4, Chapter 29, Part 2 and Title 59, Chapter 10. by \*Faison, \*Ragan.
- **House Bill No. 1651** -- Sunset Laws As introduced, removes from entity review the repealed Interstate Nurse Licensure Compact; adds to entity review the newly enacted version of the Interstate Nurse Licensure Compact and sets a termination date of June 30, 2020. Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 7. by \*Faison, \*Ragan.
- **House Bill No. 1652** -- Sunset Laws As introduced, extends the medical advisory committee for six years to June 30, 2024. Amends TCA Title 4, Chapter 29, Part 2 and Title 50, Chapter 6. by \*Faison, \*Ragan.
- **House Bill No. 1653** -- Sunset Laws As introduced, extends the medical payment committee for six years to June 30, 2024. Amends TCA Title 4, Chapter 29, Part 2 and Title 50, Chapter 6. by \*Faison, \*Ragan.

- **House Bill No. 1654** -- Sunset Laws As introduced, extends the post-conviction defender oversight commission for eight years to June 30, 2026. Amends TCA Title 4, Chapter 29, Part 2 and Title 40, Chapter 30. by \*Faison, \*Ragan.
- **House Bill No. 1655** -- Sunset Laws As introduced, extends the private investigation and polygraph commission for six years to June 30, 2024. Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 26. by \*Faison, \*Ragan.
- **House Bill No. 1656** -- Sunset Laws As introduced, extends the real estate appraiser commission for six years to June 30, 2024. Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 39. by \*Faison, \*Ragan.
- **House Bill No. 1657** -- Sunset Laws As introduced, extends the real estate commission for one year to June 30, 2019. Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 13. by \*Faison, \*Ragan.
- **House Bill No. 1658** -- Sunset Laws As introduced, extends the sex offender treatment board for eight years to June 30, 2026. Amends TCA Title 4, Chapter 29, Part 2 and Title 39, Chapter 13, Part 7. by \*Faison, \*Ragan.
- **House Bill No. 1659** -- Sunset Laws As introduced, extends the Doe Mountain recreation authority for four years to June 30, 2022. Amends TCA Title 4, Chapter 29, Part 2 and Title 11, Chapter 25. by \*Faison, \*Ragan.
- **House Bill No. 1660** -- Sunset Laws As introduced, creates sunrise provision for the Tennessee Foreign Language Institute, to terminate June 30, 2020. Amends TCA Title 4, Chapter 29; Title 8, Chapter 50, Part 1 and Title 49, Chapter 50, Part 13. by \*Faison, \*Ragan.
- **House Bill No. 1661** -- Sunset Laws As introduced, creates sunrise provision for newly adopted physical therapy licensure compact, to terminate June 30, 2020. Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 13, Part 4. by \*Faison, \*Ragan.
- **House Bill No. 1662** -- Sunset Laws As introduced, reduces by one year the entity review period of the human rights commission by changing the entity termination date from June 30, 2021 to June 30, 2020. Amends TCA Title 4, Chapter 21 and Title 4, Chapter 29, Part 2. by \*Faison, \*Ragan.
- **House Bill No. 1663** -- Sunset Laws As introduced, creates sunrise provision for local governing boards of trustees of the board of regents state universities, to terminate June 30, 2019. Amends TCA Title 4, Chapter 29, Part 2; Title 49, Chapter 8, Part 1 and Title 49, Chapter 8, Part 2. by \*Faison, \*Ragan.
- \*House Bill No. 1664 -- Sunset Laws As introduced, extends the regional transportation authority of Middle Tennessee for two years to June 30, 2020; requires the authority to report back to the committee by December 31, 2018 concerning the findings in its 2017 performance audit report. Amends TCA Title 4, Chapter 29, Part 2 and Title 64, Chapter 8. by \*Faison, \*Ragan.

- \*House Bill No. 1665 -- Sunset Laws As introduced, terminates the investment advisory council with no subsequent wind down period. Amends TCA Title 4, Chapter 29, Part 2 and Title 8, Chapter 37. by \*Faison, \*Ragan.
- **House Bill No. 1666** -- Child Custody and Support As introduced, specifies that if one parent desires to relocate with a child more than 50 miles and the other parent objects, the sole issue for the court to determine is if relocation is in the best interests of the child using the child custody factors and the relocating parent has the burden of showing it is in the best interest by clear and convincing evidence. Amends TCA Title 36, Chapter 6, Part 1. by \*Lamberth, \*Carter.
- **House Bill No. 1667** -- Process, Service of As introduced, authorizes, in an action by landlord to repossess landlord's property, service of process on a contractually named party and not just on an adult found in possession of property. Amends TCA Section 29-18-115. by \*Lamberth.
- **House Bill No. 1668** -- Auditing As introduced, expands the scope of audits to be conducted by the department of audit on certain state agencies. Amends TCA Title 4, Chapter 29; Title 4, Chapter 3, Part 17 and Title 4, Chapter 3, Part 3. by \*Daniel.
- **House Bill No. 1669** -- Lottery, Charitable As introduced, requires selection of an alternate prize winner within 30 days of the date of notice of an ineligible winner. Amends TCA Title 3, Chapter 17. by \*Moon.
- **House Bill No. 1670** -- Taxes, Real Property As introduced, removes requirement that a city lying in more than one county be reappraised under a separate plan of reappraisal. Amends TCA Section 67-5-1601(b). by \*Moon.
- \*House Bill No. 1671 -- Consumer Protection As introduced, for purposes of the debt counseling services offered by a provider of debt-management services, expands definition of "certified counselor" to include individuals certified by a training program or certifying organization that is accepted by another state in which the provider is licensed; makes other related revisions to the Uniform Debt-Management Services Act. Amends TCA Title 47, Chapter 18, Part 55. by \*Keisling.
- \*House Bill No. 1672 -- Taxes, Sales As introduced, deletes the additional state tax of 2.75 percent applied to the amount of single articles in excess of \$1,600 but less than or equal to \$3,200. Amends TCA Title 67, Chapter 6. by \*Keisling.
- \*House Bill No. 1673 -- Insurance Companies, Agents, Brokers, Policies As introduced, requires the commissioner of commerce and insurance to submit the annual report summarizing the information submitted pursuant to the Tennessee Health Care Liability Reporting Act to the chair of the senate commerce and labor committee and the chair of the insurance and banking committee of the house of representatives. Amends TCA Title 56. by \*Keisling.
- \*House Bill No. 1674 -- Banks and Financial Institutions As introduced, removes from TCA a report on the title pledge business due from the commissioner of financial institutions on February 1, 2006. Amends TCA Title 45. by \*Keisling.

**House Bill No. 1675** -- Domestic Violence - As introduced, changes definition of when a judge must notify a defendant who has been convicted of domestic assault of certain consequences of conviction from the federal law domestic abuse definition to both the federal and Tennessee law definitions. - Amends TCA Section 39-13-111. by \*Farmer.

\*House Bill No. 1676 -- Textbooks - As introduced, revises the appointment process and qualifications for membership on the state textbook and instructional materials quality commission. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 6, Part 22. by \*Brooks H.

\*House Bill No. 1677 -- Utilities, Utility Districts - As introduced, changes, from February 1 to March 1, the date by which the comptroller of the treasury must provide a written report to the speakers listing the average annual water loss contained in the annual audit for publicly owned water systems and wastewater facilities operating with financial losses. - Amends TCA Title 4; Title 5; Title 7; Title 9 and Title 68. by \*Tillis.

\*House Bill No. 1678 -- Hospitals and Health Care Facilities - As introduced, adds hospitals licensed under title 33 to requirement for hospitals to report claims data to the commissioner of health. - Amends TCA Section 68-1-108. by \*Gant, \*Casada, \*Travis, \*Sexton C.

**House Bill No. 1679** -- Sheriffs - As introduced, requires sheriffs to use 10 percent or more of the funds from booking and processing fees for annual diversity training for certain county correctional employees; requires sheriffs to use any remaining funds as annual hazard pay supplements for certain county correctional employees. - Amends TCA Title 7, Chapter 51, Part 2; Title 8, Chapter 8; Title 40, Chapter 7, Part 1 and Title 41. by \*Staples, \*Akbari, \*Fitzhugh.

**House Bill No. 1680** -- Professions and Occupations - As introduced, enacts the "Opportunity to Earn Act" to repeal requirements that authorization to engage in regulated professions and occupations be revoked for persons who default on student loans. - Amends TCA Title 3, Chapter 6, Part 3; Title 23, Chapter 3; Title 38, Chapter 1; Title 49; Title 55; Title 56; Title 62 and Title 63. by \*Clemmons.

\*House Bill No. 1681 -- Schools, Charter - As introduced, requires the sponsor of a proposed public charter school to include the proposed charter school's policy on school dismissal due to natural disasters, inclement weather, or serious outbreaks of contagious illness in its application. - Amends TCA Title 49, Chapter 13. by \*Forgety.

\*House Bill No. 1682 -- Lottery, Scholarships and Programs - As introduced, allows the treasurer, comptroller, secretary of state, commissioner of finance and administration, and the chairs of the finance, ways and means committees to have designees serve as trustees for the Tennessee Promise scholarship endowment fund. - Amends TCA Section 49-4-708. by \*Curcio.

\*House Bill No. 1683 -- Motor Vehicles - As introduced, broadens the definitions of "all-terrain vehicle" and "Class 1 off-highway vehicle" to include vehicles less than 2,500 pounds, instead of 1,500 pounds; makes other related revisions. - Amends TCA Title 11; Title 47 and Title 55. by \*Alexander.

- House Bill No. 1684 -- Education, Higher As introduced, changes, from September 15 to September 30, the date by which each public institution of higher education operating a hearing center must provide a report of the number of patients served, patient hours, hearing aids dispensed to patients, and revenues from operations to the Tennessee higher education commission and the education committees of the general assembly. Amends TCA Title 49, Chapter 11; Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by \*Smith.
- **House Bill No. 1685** -- Education, Dept. of As introduced, requires the department to create a process to allow LEAs to submit individualized implementation plans for RTI<sup>2</sup> education. Amends TCA Title 49. by \*Smith.
- \*House Bill No. 1686 -- Education, Curriculum As introduced, requires all driver education courses to include instruction on the dangers and consequences of texting while driving. Amends TCA Title 49. by \*Smith.
- **House Bill No. 1687** -- Tennessee Higher Education Commission As introduced, requires publication of the Tennessee Postsecondary Education Fact Book by March 1 each year instead of by March 15. Amends TCA Title 49. by \*Smith.
- \*House Bill No. 1688 -- Tennessee Higher Education Commission As introduced, requires that nominees for student member of THEC be submitted to the governor by March 15 instead of April 15. Amends TCA Title 49. by \*Smith.
- **House Bill No. 1689** -- Taxes, Excise As introduced, reverses Tennessee's decoupling from federal bonus depreciation for excise tax purposes; deletes requirement that bonus depreciation taken as a deduction on federal income tax return be added back to taxpayer's income in calculating net earnings for Tennessee excise tax purposes. Amends TCA Section 67-4-2006. by \*Gant.
- \*House Bill No. 1690 -- Students As introduced, enacts the "Tennessee Hunger-Free Students Act"; clarifies that state board of education rules that permit schools to impose sanctions against students owing a school debt do not authorize sanctions against students owing a meal debt. Amends TCA Title 49 and Title 71. by \*Clemmons.
- **House Bill No. 1691** -- Education, Higher As introduced, changes the date by which the Tennessee Higher Education Commission shall submit an annual report on the condition of Tennessee higher education to the governor and the general assembly from March 15 to March 1. Amends TCA Title 49. by \*Staples.
- \*House Bill No. 1692 -- Public Records As introduced, classifies as confidential and not open for public inspection records evidencing pet insurance that are provided to local government entities in order to register a dog or cat. Amends TCA Title 9; Title 10; Title 49; Title 61 and Title 67. by \*Hulsey.
- \*House Bill No. 1693 -- Treasurer, State As introduced, increases from \$25,000 to \$100,000, the maximum amount of a claim filed against the state for which the treasurer can settle without seeking authority from the governor and comptroller of the treasury. Amends TCA Title 9, Chapter 8, Part 4 and Title 20, Chapter 13. by \*Keisling.

**House Bill No. 1694** -- Education - As introduced, requires the state board of education to report annually the number of public and private teacher training institutions that, as a result of their students' scores on the state teachers examination, are placed on temporary probation, have their certifications revoked, or regain certification; requires the state board to file the report with the education committee of the senate and the education administration and planning committee of the house of representatives no later than December 31 of each year. - Amends TCA Title 49, Chapter 5, Part 56. by \*Smith.

House Bill No. 1695 -- Pharmacy, Pharmacists - As introduced, permits a pharmacist to honor a valid prescription written by a physician in another state or territory for a person displaced by a disaster. - Amends TCA Title 53; Title 58 and Title 63, Chapter 10. by \*Pitts.

\*House Bill No. 1696 -- Law Enforcement - As introduced, allows law enforcement officers who retired in good standing prior to July 2016 from a Tennessee law enforcement agency to recertify to carry a firearm every four years instead of annually. - Amends TCA Title 38, Chapter 8. by \*Hulsey.

\*House Bill No. 1697 -- Highways, Roads and Bridges - As introduced, reallocates funds generated by the tax on overweight freight vehicles that currently go to the highway fund to the general fund. - Amends TCA Title 55. by \*Hulsey.

\*House Bill No. 1698 -- DUI Offenses - As introduced, requires that person convicted of DUI to forfeit privilege to purchase alcohol for period of time based upon prior DUI convictions with lifetime forfeiture for third conviction; establishes new driver license format for person subject to alcohol purchase restriction; creates new Class C misdemeanor offense for unlawful purchase of alcohol by DUI offender or knowing sale of alcohol to person subject to alcohol purchase restriction. - Amends TCA Title 39, Chapter 17, Part 7; Title 40; Title 55 and Title 57. by \*Hulsey.

**House Bill No. 1699** -- Education - As introduced, specifies that excess instructional time may be used for individualized education program team meetings and school-wide or system-wide instructional planning meetings; requires proposals for use of excess time for instructional planning meetings to be approved by the commissioner of education. - Amends TCA Section 49-6-3004. by \*Love.

**House Bill No. 1700** -- Criminal Offenses - As introduced, establishes a defense to prosecution for the possession of marijuana in an amount not to exceed one ounce by declaring such possession is justified if possessed for the treatment of certain provable medical conditions. - Amends TCA Title 39, Chapter 11; Title 39, Chapter 17, Part 4 and Title 40. by \*Love.

\*House Bill No. 1701 -- Taxes, Privilege - As introduced, imposes a \$2.00 tax on a sexually oriented business for each customer that enters; establishes a sex trafficking victims fund. - Amends TCA Title 7 and Title 67. by \*Jernigan.

**House Bill No. 1702** -- Libraries - As introduced, renames the regional library for the blind and physically handicapped to the regional library for accessible books and media; updates antiquated language regarding persons with disabilities within statutory provisions relative to the state library system. - Amends TCA Title 10, Chapter 1, Part 1. by \*Jernigan.

- **House Bill No. 1703** -- Motor Vehicles As introduced, allows owners and operators of vehicles with an illuminated check engine light to elect to have the tailpipe test performed in lieu of the onboard diagnostics test. Amends TCA Title 55, Chapter 4, Part 1; Title 55, Chapter 6 and Title 68, Chapter 201. by \*Jernigan.
- **House Bill No. 1704** -- Hotels and Restaurants As introduced, prohibits a hotel owner or employee from advertising for rent or renting a hotel room for a period of less than seven consecutive hours in a period of 24 hours; authorizes the commissioner of health to assess increasing fines for such rentals and to suspend the owner's permit for a third or subsequent offense. Amends TCA Title 68, Chapter 14. by \*Jernigan.
- **House Bill No. 1705** -- Aircraft and Airports As introduced, prohibits an airport or airport authority in this state from charging a parking fee for airport parking designated for persons with disabilities. Amends TCA Title 42 and Title 55, Chapter 21, Part 1. by \*Jernigan.
- **House Bill No. 1706** -- Tobacco, Tobacco Products As introduced, increases age restrictions for tobacco and vapor-related products from 18 years of age to 19 years of age. Amends TCA Title 1, Chapter 3; Title 39; Title 47, Chapter 18, Part 20 and Title 68. by \*Jernigan.
- \*House Bill No. 1707 -- Public Funds and Financing As introduced, removes the prohibition on state and municipal bonds being accepted as collateral security by the state treasurer. Amends TCA Title 9, Chapter 4. by \*Wirgau.
- **House Bill No. 1708** -- Victims' Rights As introduced, requires a victim of a crime be notified when a defendant is scheduled to be transferred to a correctional complex with lower security designation instead of after the defendant is transferred. Amends TCA Title 40, Chapter 38, Part 1. by \*Gilmore.
- \*House Bill No. 1709 -- Controlled Substances As introduced, creates Class B felony of selling, possessing, or manufacturing 15 grams or more of any substance containing fentanyl and Class A felony if the substance contains 150 grams or more of fentanyl. Amends TCA Title 39, Chapter 13; Title 39, Chapter 14; Title 39, Chapter 15; Title 39, Chapter 16; Title 39, Chapter 17 and Title 40, Chapter 35. by \*Sherrell, \*Eldridge, \*Curcio, \*Lamberth.
- \*House Bill No. 1710 -- Motor Vehicles As introduced, requires that law enforcement be notified within 30 minutes of towing of vehicle, instead of prior to towing, if owner not present; makes various revisions regarding timeline requirements for notification of owner by garagekeeper or towing firm and for execution of waiver of right to sell vehicle by police department. Amends TCA Title 55, Chapter 16. by \*Doss.
- \*House Bill No. 1711 -- Consumer Protection As introduced, extends from 180 to 185 the number of days following cancellation, due to a natural disaster of an event sponsored by a charitable organization, that must elapse before ticket buyers forfeit refund of the purchase price. Amends TCA Title 4; Title 47 and Title 62. by \*Goins.
- **House Bill No. 1712** -- General Assembly As introduced, specifies that expenses of members are paid in accordance with Article II, Section 23 of the Constitution of Tennessee. Amends TCA Section 3-1-106. by \*Goins.

**House Bill No. 1713** -- Animal Cruelty and Abuse - As introduced, expands the requirement that sellers of dogs and cats be licensed to include sellers who sell to individuals and not just sellers who sell at flea markets, who sell for resale, or who sell for research purposes; establishes application and renewal fees of \$125 for sellers of dogs and cats who sell to individuals. - Amends TCA Title 44, Chapter 17, Part 1. by \*Lynn.

**House Bill No. 1714** -- Workers Compensation - As introduced, removes requirement that every workers' compensation insurer that provides insurance for Tennessee workers' compensation claims be required to maintain a claims office or to contract with a claims adjuster located within this state. - Amends TCA Title 50, Chapter 6. by \*Lynn.

\*House Bill No. 1715 -- Alcoholic Beverages - As introduced, expands the locations a manufacturer may possess, store, and transport its products to include any county that has authorized the manufacture of alcoholic beverages and any county adjacent to such county; authorizes the storage of the manufacturer's products in facilities authorized or leased by the manufacturer. - Amends TCA Section 57-2-104. by \*Ramsey.

\*House Bill No. 1716 -- Motor Vehicles - As introduced, removes expired requirement that department of human services promulgate rules regarding child restraint system use by children transported by child care agencies no later than January 1, 2007. - Amends TCA Title 39 and Title 55. by \*Ramsey.

### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

\*House Bill No. 1576 -- Alcoholic Beverages -- House State Government Committee

\*House Bill No. 1577 -- Education -- House Insurance and Banking Committee

\*House Bill No. 1578 -- Election Laws -- House Local Government Committee

**House Bill No. 1579** -- Motor Vehicles -- House Transportation Committee

\*House Bill No. 1580 -- Criminal Offenses -- House Criminal Justice Committee

\*House Bill No. 1581 -- State Symbols -- House State Government Committee

House Bill No. 1582 -- Special License Plates -- House Transportation Committee

\*House Bill No. 1583 -- Children's Services, Dept. of -- House Education Administration & Planning Committee

House Bill No. 1584 -- Alamo -- House Local Government Committee

\*House Bill No. 1585 -- Statutes and Codification -- House Civil Justice Committee

- \*House Bill No. 1586 -- Insurance Companies, Agents, Brokers, Policies -- House Insurance and Banking Committee
- \*House Bill No. 1587 -- Banks and Financial Institutions -- House Insurance and Banking Committee
- \*House Bill No. 1588 -- Motor Vehicles, Titling and Registration -- House Transportation Committee
  - \*House Bill No. 1589 -- General Assembly -- House State Government Committee
  - \*House Bill No. 1590 -- Criminal Procedure -- House Criminal Justice Committee
- House Bill No. 1591 -- Telecommunications -- House Business and Utilities Committee \*House Bill No. 1592 -- Pensions and Retirement Benefits -- House State Government Committee
  - \*House Bill No. 1593 -- Taxes, Excise -- House Finance, Ways & Means Committee
  - \*House Bill No. 1594 -- Criminal Offenses -- House Criminal Justice Committee
- \*House Bill No. 1595 -- Education -- House Education Administration & Planning Committee
  - \*House Bill No. 1596 -- Real Property -- House Civil Justice Committee
  - \*House Bill No. 1597 -- Motor Vehicles -- House Transportation Committee
- \*House Bill No. 1598 -- Insurance Companies, Agents, Brokers, Policies -- House Insurance and Banking Committee
- \*House Bill No. 1599 -- Education, Curriculum -- House Insurance and Banking Committee
  - \*House Bill No. 1600 -- Libraries -- House State Government Committee
- \*House Bill No. 1601 -- Agriculture -- House Agriculture and Natural Resources Committee
  - \*House Bill No. 1602 -- Firearms and Ammunition -- House Civil Justice Committee
  - \*House Bill No. 1603 -- Personal Property -- House Civil Justice Committee

### **CONSENT CALENDAR**

- House Resolution No. 182 -- Memorials, Death Jimmy Huddleston. by \*Clemmons.
- **House Resolution No. 183** -- Memorials, Recognition Brady Watts, 2017 Tennessee Civics Essay Contest winner. by \*Clemmons.

#### 2750

**House Resolution No. 184** -- Memorials, Public Service - Thistle Farms. by \*Clemmons.

**House Resolution No. 185** -- Memorials, Recognition - American Heart Association/National Wear Red Day, February 2, 2018. by \*Gilmore.

**House Joint Resolution No. 605** -- Memorials, Sports - Union City High School football team, TSSAA Division I Class 2A State Champions. by \*Sanderson.

House Joint Resolution No. 606 -- Memorials, Death - Lila Lee Snead. by \*Hill M.

**House Joint Resolution No. 607** -- Memorials, Sports - David Threet, 2017 Clay County Sports Hall of Fame. by \*Keisling.

**House Joint Resolution No. 608** -- Memorials, Sports - Michelle Chambers Proctor, 2017 Clay County Sports Hall of Fame. by \*Keisling.

**House Joint Resolution No. 609** -- Memorials, Sports - Paul Martin Garrett, 2017 Clay County Sports Hall of Fame. by \*Keisling.

**House Joint Resolution No. 610** -- Memorials, Sports - Jerry Eads, 2017 Clay County Sports Hall of Fame. by \*Keisling.

**House Joint Resolution No. 611** -- Memorials, Sports - Tara Ashlock Anderson, 2017 Clay County Sports Hall of Fame. by \*Keisling.

**House Joint Resolution No. 613** -- Memorials, Personal Achievement - Christian Shaun Corbin, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 614** -- Memorials, Personal Achievement - Antonio Anselmo, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 615** -- Memorials, Personal Achievement - Samuel P. Heldman, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 616** -- Memorials, Personal Achievement - Patrick James Bartol, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 617** -- Memorials, Personal Achievement - Chase Brown Delk, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 618** -- Memorials, Personal Achievement - Matthew Thomas Howell, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 619** -- Memorials, Personal Achievement - Matthew William Lacy, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 620** -- Memorials, Personal Achievement - Garrett Johnson, Eagle Scout. by \*Butt, \*Curcio.

#### 2751

**House Joint Resolution No. 621** -- Memorials, Personal Achievement - Nathan Tucker Harvill, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 622** -- Memorials, Personal Achievement - Cameron Joseph Hartley, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 623** -- Memorials, Personal Achievement - Ernesto Guzman III, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 624** -- Memorials, Personal Achievement - Tristan Daniel Bush, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 625** -- Memorials, Personal Achievement - John Grady Brewer, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 626** -- Memorials, Personal Achievement - Evan Ryan Lindsey, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 627** -- Memorials, Personal Achievement - Billy Gene Carrigan, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 628** -- Memorials, Personal Achievement - Benjamin David Hatcher, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 629** -- Memorials, Personal Achievement - Isaac Edward Wood, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 630** -- Memorials, Personal Achievement - Wesley Waggoner Sisk, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 631** -- Memorials, Personal Achievement - Joseph Mack O'Bryant, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 632** -- Memorials, Personal Achievement - Daniel Amis Trammell, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 633** -- Memorials, Personal Achievement - Wesley Allen Baxter, Eagle Scout. by \*Butt, \*Curcio.

**House Joint Resolution No. 634** -- Memorials, Personal Achievement - Jimmy William Meacham, Eagle Scout. by \*Butt, \*Curcio.

Rep. Sanderson moved that all members voting aye on House Joint Resolution No. 605 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt and Ragan.

Rep. Gilmore moved that all members voting aye on House Resolution No. 185 be added as co-prime sponsors with the Female Legislators listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt and Ragan.

#### 2752

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 98

A motion to reconsider was tabled.

#### **ANNOUNCEMENTS**

Rep. Turner announced that the Ad Hoc Committee on Unsolved Civil Rights Cold Cases would meet on Thursday, January 25, 2018 at 10:30 in House Hearing Room five.

### **SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1401 Rep. Reedy as First prime sponsor.

House Bill No. 1570 Reps. Lollar and Coley as prime sponsors.

### REQUEST TO BE ADDED AS SPONSOR

The following member requested to add their name as sponsor as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after passage of said bill:

House Bill No. 362 Rep. Butt

#### **ROLL CALL**

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The roll call was taken with the following results:

Ayes	98
Noes	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 98

#### **RECESS**

On motion of Rep. Casada, the House stood in recess until 9:00 a.m., Wednesday, January 24, 2018.